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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **BEAN ET AL.**

Serial No.: **09/976,851**

Filed: **October 12, 2001**

For: **SELF HEAT-SEALABLE PACKAGING
AND A METHOD OF MAKING SAME**

)
) Art Unit: **1711**
)
) Examiner: **Nutter, N.**
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)

RESTRICTION RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Responsive to the Restriction/Election mailed March 26, 2003, Applicants request further examination in light of the following remarks.

REMARKS

Claims 1-20 are pending in the present application. Applicants respectfully request reconsideration of the present claims in view of the following remarks.

I. Formal Matters:

Restriction Requirement

The Office Action requires restriction between the following groups of claims:

- Group I: Claims 1-10 drawn to a polymer blend;
- Group II: Claims 11-13 drawn to a saturated fibrous web;
- Group III: Claims 14-16 drawn to a "package or container";
- Group IV: Claims 17-19 drawn to a method for saturating a fibrous web; and
- Group V: Claim 20 drawn to a method for making a package.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on April 28, 2003.

Theodore M. Green - Reg. No. 41,801

Applicants elect, *with traverse*, Group II, Claims 11-13, drawn to a saturated fibrous web, reserving the right to pursue claims 1-10 and 14-20 in a continuation patent application, if necessary.

Applicants note that the Restriction Requirement only listed four Groups and failed to mention Claims 17-19. As such, Applicants have presumed the Requirement to be broken out as set forth above and have responded based upon this presumption. If this is incorrect, Applicants respectfully notification of such and Applicants will respond accordingly.

Applicants respectfully request reconsideration of the above restriction requirement given that the above groups of claims are so interrelated that prosecution of the claims would not unduly burden the Examiner.

Applicants respectfully submit that each group of claims features a composition having a drapable saturant composition and an additional saturant polymer. Group I claims this composition; Group II depends on Claim 1 and provides a fibrous web including this composition; Group III depends on Claim 11 (and therefore Claim 1) and provides a package or container having this fibrous web including this composition; Group IV provides a method of making this composition; and Group V provides a method of making a package using the fibrous web including this composition. Therefore, Applicants respectfully submit that a search for any of Groups II-V would necessitate a search of the composition having a drapable saturant composition and an additional saturant polymer. Thus, Applicants submit that the search and examination of the entire application could be made without serious burden. See MPEP § 803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct and independent inventions."

Accordingly, Applicants respectfully request withdrawal of the restriction requirement and examination of Claims 1-20 as a single group.

II. Conclusion:

For at least the reasons given above, Applicants submit that a search for the subject matter of Claims 1-20 could be made without serious burden to the Examiner. Accordingly, Applicants respectfully request that the restriction/election requirement be withdrawn.

The foregoing is submitted as a full and complete Response to the Restriction Requirement mailed March 26, 2003 and early and favorable consideration of the claims is requested.

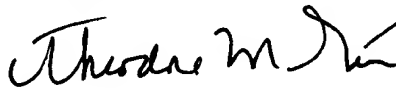
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Attorney Docket No.: 11301-0241

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact Applicants' representative at the telephone number listed below.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

KILPATRICK STOCKTON LLP



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Atty. File No. 44040.251649
KC No. 16,287